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[Print Face Sheet](#)
[Print Current Case Summary](#)
[< Return](#)
[Incident Review](#)
[Investigation](#)

Reporting Category

Category	Subcategory	Situation	Victim/Offender Armed?	Weapon Types	Weapon Other	Weapon Recovered?	Deceased?
05Z MISCELLANEOUS	-	-	-	-	-	-	-

row(s) 1 - 1 of 1

Log No: 1090066 Type:CR

Accused Members

Review	Name	Status	Accused Overall Finding	Recommended Penalty	No. of Days	Date/Time Served	Created Date	Complimentary History
View	GORLEWSKI, ANDREW	PENDING COMMAND CHANNEL REVIEW COMPLETE (C.O.P.A.)	SUSTAINED	SUSPENSION	15	-	02-JUL-2018	View
View	BROWN, JOHNNY	CLOSED/FINAL	UNFOUNDED	-	-	-	10-AUG-2018	N/A

row(s) 1 - 2 of 2

Attachments

No.	Type	Related Person	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Content?	Approve Inclusion?
View	1	FACE SHEET	N/A	-	-	SHEETS, FRANK	JUL-02-2018 14:03	-	-	-
View	2	CONFLICT CERTIFICATION	N/A	-	-	HAYES, SHANNON	JUL-25-2018 10:40	-	-	-
View	3	CONFLICT CERTIFICATION	N/A	-	-	WEBB, MAIRA	JUL-26-2018 14:09	-	-	-
View	4	CHICAGO POLICE DEPARTMENT EVENT QUERY	N/A	2	Event # [REDACTED]	WEBB, MAIRA	JUL-27-2018 16:40	APPROVED	-	YES
View	5	PHOTOGRAPH	N/A	1	POD MAP	SHEETS, FRANK	JUL-12-2018 11:35	APPROVED	-	YES
View	6	OEMC UNIT QUERY	N/A	3	Unit Assignment History	WEBB, MAIRA	JUL-27-2018 16:42	APPROVED	-	YES
View	7	CONSENT FOR AUDIO RECORDED INTERVIEW	N/A	1	[REDACTED]	SHEETS, FRANK	JUL-12-2018 11:33	APPROVED	-	YES
View	8	AUDIO INTERVIEW	N/A	1	[REDACTED]	WEBB, MAIRA	JUL-27-2018 16:44	APPROVED	-	YES
View	9	PHOTO IDENTIFICATION	N/A	1	[REDACTED]	SHEETS, FRANK	JUL-12-2018 11:34	APPROVED	-	YES
View	10	SWORN AFFIDAVIT FROM COMPLAINANT	N/A	1	[REDACTED]	SHEETS, FRANK	JUL-12-2018 11:35	APPROVED	-	YES
View	11	ATTENDANCE AND ASSIGNMENT RECORD	N/A	1	-	SHEETS, FRANK	JUL-12-2018 11:32	APPROVED	-	YES
View	12	ADDITIONAL INFORMATION	N/A	1	OEMC BEAT UNIT DATA	SHEETS, FRANK	JUL-12-2018 11:32	APPROVED	-	YES
View	13	GPS DATA	N/A	1	-	WEBB, MAIRA	JUL-27-2018 16:51	APPROVED	-	YES
View	14	REPORT (OTHER)	N/A	1	In-Car Video and BWC request	WEBB, MAIRA	JUL-27-2018 16:52	APPROVED	-	YES
View	15	REPORT (OTHER)	N/A	1	results of BWC and In-Car video request	WEBB, MAIRA	JUL-27-2018 16:53	APPROVED	-	YES

View	16	REPORT (OTHER)	N/A	1	PDT Messages and LEAD search	NO	SHEETS, FRANK	JUL-12-2018 11:34	APPROVED	-	YES
View	17	VIDEO RECORDING	N/A	1	Unable to load Cell phone clip	YES	WEBB, MAIRA	DEC-27-2018 16:01	APPROVED	-	YES
View	18	POD CD	N/A	1	unable to upload video	YES	WEBB, MAIRA	JUL-30-2018 15:33	APPROVED	-	YES
View	19	REPORT (OTHER)	N/A	1	Contact Card search	YES	WEBB, MAIRA	AUG-01-2018 15:20	APPROVED	-	YES
View	20	CANVASS SHEETS	N/A	1	-	YES	WEBB, MAIRA	NOV-23-2018 09:10	APPROVED	-	YES
View	21	LETTER TO VICTIM	N/A	1	████████	YES	WEBB, MAIRA	AUG-01-2018 15:50	APPROVED	-	YES
View	22	WITNESS NOTIFICATION FOR BROWN, JOHNNY	WITNESS - BROWN, JOHNNY	-	-	-	WEBB, MAIRA	AUG-10-2018 09:39	WITNESS ACKNOWLEDGED - NOTIFICATION	-	-
View	23	ACCUSED NOTIFICATION OF ALLEGATIONS FOR GORLEWSKI, ANDREW	ACCUSED - GORLEWSKI, ANDREW	-	-	-	WEBB, MAIRA	AUG-17-2018 12:07	ACCUSED ACKNOWLEDGED - ALLEGATIONS	-	-
View	24	ACCUSED NOTIFICATION OF ALLEGATIONS FOR BROWN, JOHNNY	ACCUSED - BROWN, JOHNNY	-	-	-	WEBB, MAIRA	AUG-17-2018 12:08	ACCUSED ACKNOWLEDGED - ALLEGATIONS	-	-
View	25	REQUEST FOR INTERVIEW/STATEMENT/REPORT	N/A	1	PO Johnny Brown	YES	WEBB, MAIRA	AUG-28-2018 10:45	APPROVED	-	YES
View	26	REQUEST FOR INTERVIEW/STATEMENT/REPORT	N/A	1	PO A. Gorlewski	YES	WEBB, MAIRA	AUG-28-2018 10:45	APPROVED	-	YES
View	27	NOTIFICATION OF CHARGES/ALLEGATIONS	N/A	1	PO Johnny Brown	YES	WEBB, MAIRA	AUG-28-2018 09:07	APPROVED	-	YES
View	28	ADMINISTRATIVE PROCEEDINGS RIGHTS	N/A	1	PO Johnny Brown	YES	WEBB, MAIRA	AUG-28-2018 08:59	APPROVED	-	YES
View	29	WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL	N/A	1	PO Johnny Brown	YES	WEBB, MAIRA	AUG-28-2018 08:59	APPROVED	-	YES
View	30	NOTIF OF CHARGES/ALLEGATIONS - ADM PROC RIGHTS (STATUTORY)	N/A	1	PO A. Gorlewski	YES	WEBB, MAIRA	AUG-28-2018 09:21	APPROVED	-	YES
View	31	ADMINISTRATIVE PROCEEDINGS RIGHTS	N/A	1	PO A. Gorlewski	YES	WEBB, MAIRA	AUG-28-2018 09:06	APPROVED	-	YES
View	32	WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL	N/A	1	PO A. Gorlewski	YES	WEBB, MAIRA	AUG-28-2018 09:07	APPROVED	-	YES
View	33	NOTIFICATION OF CHARGES/ALLEGATIONS	N/A	1	PO Johnny Brown	YES	WEBB, MAIRA	AUG-28-2018 09:22	APPROVED	-	YES
View	34	ADMINISTRATIVE PROCEEDINGS RIGHTS	N/A	1	PO Johnny Brown	YES	WEBB, MAIRA	AUG-28-2018 09:24	APPROVED	-	YES
View	35	WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL	N/A	1	PO Johnny Brown	YES	WEBB, MAIRA	AUG-28-2018 09:23	APPROVED	-	YES
View	36	AUDIO INTERVIEW	N/A	1	PO Johnny Brown	YES	WEBB, MAIRA	AUG-22-2018 08:30	APPROVED	-	YES
View	37	NOTIFICATION OF CHARGES/ALLEGATIONS	N/A	1	PO A. Gorlewski	YES	WEBB, MAIRA	AUG-28-2018 09:25	APPROVED	-	YES
View	38	ADMINISTRATIVE PROCEEDINGS RIGHTS	N/A	1	PO A. Gorlewski	YES	WEBB, MAIRA	AUG-28-2018 09:25	APPROVED	-	YES
View	39	WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL	N/A	1	PO A. Gorlewski	YES	WEBB, MAIRA	AUG-28-2018 09:26	APPROVED	-	YES
View	40	AUDIO INTERVIEW	N/A	1	PO Andrew Gorlewski	YES	WEBB, MAIRA	AUG-27-2018 17:52	APPROVED	-	YES
View	41	REPORT (OTHER)	N/A	1	ANOV request	YES	WEBB, MAIRA	SEP-14-2018 13:49	APPROVED	-	YES
View	42	REPORT (OTHER)	N/A	1	ANOV Citation	YES	WEBB, MAIRA		APPROVED	-	YES

View	43	STATEMENT OF POLICE OFFICER	N/A	24	PO A. Gorlewski	YES	WEBB, MAIRA	SEP-14-2018 13:49	APPROVED	-	YES
View	44	STATEMENT OF POLICE OFFICER	N/A	43	Johnny Brown	YES	WEBB, MAIRA	OCT-26-2018 08:03	APPROVED	-	YES
View	-	POLICE BOARD REVIEW OUTCOME	N/A	4	Review Outcome	-	DOMAIN, ALEXANDRA	NOV-21-2018 14:42	APPROVED	-	YES
View	-	POLICE BOARD 2-57-060 REVIEW REQUEST	N/A	23	Request for Police Board Review	-	DOMAIN, ALEXANDRA	JUL-05-2019 09:03	APPROVED	-	YES
View	-	WEB COMPLAINT	N/A	3		NO	SHEETS, FRANK	JUL-05-2019 09:02	APPROVED	-	YES
View	-	ALPHA/STAR QUERY SEARCH	N/A	2	-	NO	SHEETS, FRANK	JUL-09-2018 10:57	APPROVED	-	YES
View	-	POD REQUEST	N/A	2		NO	SHEETS, FRANK	JUL-12-2018 11:32	APPROVED	-	YES
View	-	SUMMARY REPORT	N/A	8	-	YES	JACKSON, SHARDAY	JUL-12-2018 15:04	APPROVED	-	YES
View	-	DISCIPLINARY HISTORY	N/A	1	-	-	JACKSON, SHARDAY	FEB-25-2019 12:25	APPROVED	-	YES
View	-	TO/FROM REPORT	N/A	1	-	NO	MOSS, SUSAN	FEB-25-2019 12:24	APPROVED	-	YES
View	-	REPORT (OTHER)	N/A	7	DNC Letter	NO	CONNOLLY, LUKE	MAR-19-2019 16:57	APPROVED	-	YES
								APR-16-2019 14:09	APPROVED	-	YES

row(s) 1 - 53 of 53

Internal Use Only

No Internal Use Only attachments available.

Print Accused Appeal Forms

No Accused Appeal forms available for this Log No.

Related Incidents☒ TIP Related Incidents listed below are for reference only. These may be viewed using the related application search screens.

No Related Incidents associated with this Log No.

Status History☒ TIP Every employee included in the Status History is subject to be called for legal or administrative proceedings.

Resulting Status	Status Date/Time	Created By	Position	Employee No.	Assigned/ Detailed Unit	Comments
PENDING COMMAND CHANNEL REVIEW COMPLETE (C.O.P.A.)	16-APR-2019 14:09	CONNOLLY, LUKE	SERGEANT OF POLICE		121 / -	-
PENDING ADVOCATE REVIEW	16-APR-2019 14:06	CONNOLLY, LUKE	SERGEANT OF POLICE		121 / -	Upload DNC letter
PENDING SUPERINTENDENT DECISION	01-APR-2019 14:43	WALLER, FRED	CHIEF		142 / -	-
PENDING COMMAND CHANNEL REVIEW	27-MAR-2019 12:43	RYAN, KEVIN	DEP CHIEF		211 / -	-
PENDING COMMAND CHANNEL REVIEW	19-MAR-2019 17:06	MOSS, SUSAN	COMMANDER		211 / -	-
PENDING COMMAND CHANNEL REVIEW	07-MAR-2019 11:03	O CONNOR, MARK	SERGEANT OF POLICE		121 / -	-
PENDING ADVOCATE REVIEW	07-MAR-2019 11:02	O CONNOR, MARK	SERGEANT OF POLICE		121 / -	-
PENDING REVIEW INCIDENT (I.A.D./DISTRICT USE)	07-MAR-2019 10:59	O CONNOR, MARK	SERGEANT OF POLICE		121 / -	Change in 1st level review for CCR
PENDING COMMAND CHANNEL REVIEW	07-MAR-2019 10:54	O CONNOR, MARK	SERGEANT OF POLICE		121 / -	-
PENDING ADVOCATE REVIEW	06-MAR-2019 09:20	RUTLEDGE-WILLIS, REGINA	POLICE OFFICER		121 / -	-
PENDING REVIEW INCIDENT (I.A.D./DISTRICT USE)	25-FEB-2019 15:40	DOMAIN, ALEXANDRA	SUPERVISOR PARALEGAL		113 / -	-
CLOSED AT C.O.P.A.	25-FEB-2019 15:39	DOMAIN, ALEXANDRA	SUPERVISOR PARALEGAL		113 / -	-
PENDING REVIEW INCIDENT (C.O.P.A. USE ONLY)	25-FEB-2019 13:46	HEARTS-GLASS, ANGELA	DEPUTY CHIEF ADMINISTRATOR		113 / -	-
					113 / -	-

PENDING C.O.P.A. COORDINATOR REVIEW	25-FEB-2019 12:44	JACKSON, SHARDAY	SUPERVISING INV COPA	[REDACTED]	
PENDING INVESTIGATIVE REVIEW	28-DEC-2018 11:13	WEBB, MAIRA	INVESTIGATOR 2 COPA		113 / -
PENDING INVESTIGATION	27-DEC-2018 12:38	JACKSON, SHARDAY	SUPERVISING INV COPA		113 / -
PENDING INVESTIGATIVE REVIEW	27-NOV-2018 14:59	WEBB, MAIRA	INVESTIGATOR 2 COPA		113 / -
PENDING INVESTIGATION	25-JUL-2018 10:40	HAYES, SHANNON	SUPERVISING INV COPA		113 / -
PENDING ASSIGN INVESTIGATOR	13-JUL-2018 12:34	OLVERA, MARIA	SUPERVISING INV COPA	113 / -	Type Changed from INFO to CR on 13-JUL-2018 12:34 by OLVERA, MARIA Affidavit information for this Log Number has changed on 13-JUL-2018 12:34 by OLVERA, MARIA
PENDING ASSIGN TEAM	12-JUL-2018 15:32	PFEIFER, ADAM	SUPERVISING INV COPA	113 / -	-
PENDING SUPERVISOR REVIEW	12-JUL-2018 15:32	PFEIFER, ADAM	SUPERVISING INV COPA	113 / -	-
PRELIMINARY	12-JUL-2018 15:32	PFEIFER, ADAM	SUPERVISING INV COPA	113 / -	-
PRELIMINARY	12-JUL-2018 15:08	PFEIFER, ADAM	SUPERVISING INV COPA	113 / -	edit
PENDING SUPERVISOR REVIEW	12-JUL-2018 15:05	SHEETS, FRANK	INVESTIGATOR 3 COPA	113 / -	-
PRELIMINARY	12-JUL-2018 14:48	PFEIFER, ADAM	SUPERVISING INV COPA	113 / -	order POD via GovQA
PENDING SUPERVISOR REVIEW	12-JUL-2018 11:39	SHEETS, FRANK	INVESTIGATOR 3 COPA	113 / -	-
PRELIMINARY	11-JUL-2018 18:36	PFEIFER, ADAM	SUPERVISING INV COPA	113 / -	attachments
PENDING ASSIGN TEAM	09-JUL-2018 12:42	PFEIFER, ADAM	SUPERVISING INV COPA	113 / -	-
PENDING SUPERVISOR REVIEW	09-JUL-2018 10:57	SHEETS, FRANK	INVESTIGATOR 3 COPA	113 / -	-
PRELIMINARY	02-JUL-2018 14:45	PFEIFER, ADAM	SUPERVISING INV COPA	113 / -	attach web complaint
PENDING SUPERVISOR REVIEW	02-JUL-2018 14:05	SHEETS, FRANK	INVESTIGATOR 3 COPA	113 / -	-
PRELIMINARY	02-JUL-2018 14:03	SHEETS, FRANK	INVESTIGATOR 3 COPA	113 / -	-

row(s) 1 - 32 of 32

Command Channel Reviewers

Accused Name	Sequence No.	Reviewer
GORLEWSKI, ANDREW	1	MOSS, SUSAN
GORLEWSKI, ANDREW	211	RYAN, KEVIN
BROWN, JOHNNY	1	MOSS, SUSAN
BROWN, JOHNNY	2	RYAN, KEVIN
BROWN, JOHNNY	3	WALLER, FRED

row(s) 1 - 5 of 5



SUMMARY REPORT OF INVESTIGATION**I. EXECUTIVE SUMMARY**

Date of Incident:	June 30, 2018
Time of Incident:	12:17 am
Location of Incident:	150 W. 63 rd Street, Chicago, IL 60621
Date of COPA Notification:	July 2, 2018
Time of COPA Notification:	2:03 pm

On June 30, 2018, [REDACTED] came to COPA and registered this complaint on behalf of an unknown black female, now identified as [REDACTED]. [REDACTED] observed a white officer, now identified as Officer Andrew Gorlewski (passenger), in a police SUV conducting a street stop of [REDACTED]. [REDACTED] was sitting on the CTA bench with other individuals when [REDACTED] observed Officer Gorlewski being rude and unprofessional as he stopped and detained [REDACTED]. Officer Gorlewski grabbed [REDACTED] bag, searched it, and then threw the bag out of the police vehicle window onto the ground. [REDACTED] stated Officer Gorlewski was unprofessional and abusive towards [REDACTED]. [REDACTED] never talked to [REDACTED] the officer, but recorded part of the incident with his cell phone. [REDACTED] was not arrested.

II. INVOLVED PARTIES

Involved Officer #1:	Officer Andre Gorlewski Star #7804 Date of Appointment: [REDACTED], 1999 Unit: [REDACTED] Date of Birth: [REDACTED], 1980 Male / White
Involved Officer #2:	Officer Johnny Brown Star #11990 Date of Appointment: [REDACTED], 2005 Unit: 002 Date of Birth: [REDACTED], 1977 Male / Bi-Racial
Involved Individual #1:	[REDACTED] Date of Birth: [REDACTED] Male / Black
Involved Individual #2:	[REDACTED] Date of Birth: Unknown Female / Black

III. ALLEGATIONS

Officer	Allegation	Finding / Recommendation
Officer Andrew Gorlewski	1. Stopped [REDACTED] without justification, in violation of Rules 1 and 6.	Exonerated
	2. Detained [REDACTED] without justification, in violation of Rules 1 and 6.	Exonerated
	3. Took [REDACTED] bag without justification, in violation of Rules 1 and 6.	Sustained / 15 days
	4. Searched [REDACTED] bag without justification, in violation of Rule 1 and Rule 6.	Sustained / 15 days
	5. Was rude and unprofessional when he threw [REDACTED] bag out of the squad car window and onto the ground, in violation of Rules 2.	Sustained / 5 days
	6. Failed to document his contact with [REDACTED], in violation of Rule 6.	Sustained / 3 days
Officer Johnny Brown	1. Stopped [REDACTED] without justification, in violation of Rules 1 and 6.	Exonerated
	2. Detained [REDACTED] without justification, in violation of Rules 1 and 6.	Exonerated
	3. Failed to document his contact with [REDACTED], in violation of Rule 6	Unfounded

IV. APPLICABLE RULES AND LAWS

Rules

1. Rule 1: Violation of any law or ordinance.
2. Rule 2: Prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goal or brings discredit upon the Department.
3. Rule 6: Prohibits disobedience of an order or directive, whether written or oral.

General Orders

1.GO 06-01-09: Conducting Strip Searches, effective December 8, 2017.

Special Orders

1.SO 04-13-09: Investigator Stop System, effective July 10, 2017.

Federal Laws

1.United States Constitution, Amendment IV

V. INVESTIGATION¹

a. Interviews

In a statement to COPA² on July 11, 2018, ██████ stated he got off the Red line CTA train and walked to 63rd and Wentworth to take the CTA bus home. As he approached the corner, he observed a white officer in uniform, now identified as Officer Andrew Gorlewski, yelling back and forth with a black female, now identified as ██████. ██████ did not know ██████ or Officer Gorlewski, who was in a marked police SUV. ██████ observed ██████ walk over to the passenger's side of the vehicle and yell at Officer Gorlewski, who exited the squad car and took a bag from ██████. Officer Gorlewski entered the police vehicle and appeared to search the bag. Officer Gorlewski then threw ██████ bag out of the vehicle's window and onto the ground for no apparent reason. ██████ stated that he took his cell phone out and began recording after Officer Gorlewski took ██████ bag and as he threw it out of the window. ██████ stated that he did not record any further to avoid being seen. ██████ left shortly thereafter. ██████ did not speak to ██████ or Officer Gorlewski. ██████ indicated that there were two other individuals by the bus stop. ██████ saw a second officer, who he described as black or Hispanic, sitting in the driver's side seat of the police SUV. The second officer, now identified as Officer Johnny Brown, did not have any verbal or physical contact with ██████.

In a statement to COPA³ on August 20, 2018, **Officer Johnny Brown** stated that, on the date of the incident, he and Officer Gorlewski were assigned to the Saturation Team⁴ and deployed to the south side area of Chicago. While patrolling, they saw a black female, now identified as ██████, drinking beer while seated at the CTA bus stop. They approached ██████ who became belligerent and began using profanities when she was told that she was getting a citation. Officer Gorlewski asked ██████ for her identification, and she refused, causing them to exchange words. Officer Gorlewski exited the police vehicle because ██████ refused to give her identification. Officer Brown related that Officer Gorlewski somehow obtained ██████ identification and gave it to Officer Brown to run her name on the PDT. Officer Brown did not know how Officer Gorlewski obtained the identification card of ██████ and did not recall seeing Officer Gorlewski take a bag from ██████ or search it.

¹ COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

² Att. 8.

³ Atts. 36, 44.

⁴ A Saturation Team involves a group of officers assigned to specific communities and areas in the city to target and reduce increasing crime activities.

Officer Brown did not have any verbal or physical contact with [REDACTED] or anyone else at the bus stop. Officer Brown described [REDACTED] as belligerent, verbally abusive, and highly intoxicated. Officer Brown could not recall what else, if anything, happened with Officer Gorlewski and [REDACTED]. Officer Gorlewski issued [REDACTED] an ANOV⁵ citation for drinking in the public way.

In a statement to COPA⁶ on August 27, 2018 **Officer Andrew Gorlewski** stated he was working with Officer Brown, and while patrolling, they saw a black female, now identified as [REDACTED], drinking in the public way. They drove the police SUV towards her location near the CTA stop at the corner and by the Shell gas station. [REDACTED] approached Officer Gorlewski and directed profanities at him when he asked her for her identification card. Officer Gorlewski asked [REDACTED] for her identification card again, and [REDACTED] refused to give it to him. [REDACTED] continued being loud and called Officer Gorlewski a “motherfucker.” Officer Gorlewski admitted that he then exited the police SUV, took [REDACTED] purse from her, and searched the purse for her identification card and weapons. No weapons were located, but he did locate her identification card and issued [REDACTED] an ANOV citation for drinking in the public way. Officer Gorlewski admitted that he did not obtain permission from [REDACTED] to take or search her purse. Officer Gorlewski admitted that in the past during a street stop if a female person is detained for an arrestable offense and they refuse to provide him with their identification card, he will search their purse for weapons and identification card with or without consent. Officer Gorlewski also admitted that he purposely threw [REDACTED] purse out of the police vehicle window because [REDACTED] “got under his skin.” Officer Gorlewski admitted that he was rude and unprofessional toward [REDACTED] because of her initial demeanor toward him, but that she did not pose a danger to him and she was not patted down. No other person was stopped, patted down, or given any citations. Officer Gorlewski stated that he handled the street stop of [REDACTED] and that Officer Brown did not engage in any verbal or physical contact with [REDACTED].

b. Digital Evidence

The **Cell phone video**⁷ footage recorded by [REDACTED] depicts Officer Gorlewski sitting in the passenger side of the police SUV. The video footage depicts Officer Gorlewski throwing [REDACTED] bag out of the police vehicle’s window.

POD Camera footage⁸ depicts [REDACTED] sitting at the CTA bus stop with two additional individuals. The footage depicts a police SUV pass by the group. The police vehicle enters the gas station and stops next to CTA bench where [REDACTED] and the other individuals are located. A white male (Officer Gorlewski) appears to be talking to [REDACTED] when he opens the car door almost striking [REDACTED], exits the police SUV, grabs and snatches [REDACTED] bag or purse from her. Officer Gorlewski re-enters the SUV and searches [REDACTED] bag. The Pod footage depicts an object being thrown out of the window of the police vehicle. The driver of the police vehicle, now identified as Officer Brown, does not engage in any contact with [REDACTED] and does not exit the squad car.

⁵ ANOV is the Administrative Notification Ordinance Violation.

⁶ Atts. 36, 44.

⁷ Att. 17.

⁸ Att. 18.

c. Documentary Evidence

COPA made numerous attempts to contact and interview ██████⁹ but all attempts via personal visits, a canvass of location and letters were met with negative results. ██████ was not located, and no interview was obtained.

GPS Reports¹⁰ from Beat ██████ detailed that the Officers Gorlewski and Brown stopped at 158 W. 63rd Street for approximately four and a half minutes.

An **Administrative Notification Ordinance Violation (ANOV)¹¹** completed by Officer Gorlewski detailed the street stop of ██████ for drinking in a public way at the location of incident.

The **PDT¹² messages** and a **LEAD** search from Beat ██████ detailed that a name check was done on ██████ by Officer Gorlewski.

VI. ANALYSIS

COPA recommends a finding of **EXONERATED** for Allegations #1 and #2 against Officers Gorlewski and Brown, that the officers stopped and detained ██████ without justification. Officers are permitted to stop and detain subjects for a reasonable amount of time if the officer reasonably infers, from all the circumstances known to the officer, that the subject is about to commit, is committing, or has committed a criminal offense¹³ or if they have probable cause that a person has committed a crime.¹⁴ Officers Gorlewski and Brown stated they stopped ██████ for drinking in the public way and Officers Gorlewski issued ██████ an ANOV citation for this offense. COPA made several attempts to contact and interview ██████ and to locate additional witnesses, but all attempts were met with negative results. The officers' accounts are supported by the ANOV citation they issued to ██████ and COPA find's the officers' accounts credible on this issue.¹⁵

COPA recommends a finding of **SUSTAINED** for Allegations #3 and #4 against Officer Gorlewski that he seized and searched ██████ bag from her without justification. ██████, an independent witness with no-preexisting relationship with ██████, observed Officer Gorlewski grab and take ██████ bag. The POD video depicts Officer Gorlewski grabbing ██████ bag and entering the squad car with the bag and searching it. Officer Gorlewski admitted in his statement that he took ██████ bag without permission when she refused to provide him with her identification card and searched it for the identification card. Officer Gorlewski stated that he seized and searched ██████ bag because he observed her committing an arrestable offense, drinking on the public way, and ██████ refused to provide him her identification card.

⁹ Atts. 19 - 21, 45.

¹⁰ Att. 13.

¹¹ Att. 42.

¹² Att. 16

¹³ See Special Order S04-13-09 and *Terry v. Ohio*, 932 U.S. 1 (1986)

¹⁴ "Probable cause to arrest exists when the totality of the facts and circumstances known to a police officer would lead a person of reasonable caution to believe that the person apprehended has committed a crime, and its existence depends on the totality of the circumstances at the time of the arrest." *People v. D.W. (In re D.W.)*, 341 Ill. App. 3d 517, 526 (1st Dist. 2003).

¹⁵ ██████ did not address whether he observed ██████ drinking. The available video footage is inconclusive.

The Supreme Court set the bounds of searches incident to arrest in *Chimel v. California* 395 U.S. 752, 754 (1969). *Chimel* set forth the general rule that arresting officers, in order to prevent the arrestee from obtaining a weapon or destroying evidence, could search both “the person arrested” and “the area within his immediate control.” *Id.* at 763. In *United States v. Robinson*, the Court held that the mere fact of a lawful arrest justifies a search of the arrestee and area within his immediate control; probable cause that weapons or evidence will be found is not required. 414 U.S. 218, 235 (1973). However, Officer Gorlewski did not place [REDACTED] under arrest, either before or after the search, and therefore the search incident to arrest exception to the warrant requirement is inapplicable.¹⁶ See *People v. Tyler*, 210 Ill. App. 3d 833, 840 (1991) (a search did not constitute a lawful search incident to arrest when the defendant was not arrested on the date of the search); see also *Knowles v. Iowa*, 525 U.S. 113 (1998).

Officer Gorlewski did not have any other valid basis to seize and search [REDACTED] purse. Officers are not permitted to conduct a limited search for weapons during every valid investigatory stop. *People v. Sorenson*, 196 Ill. 2d 425, 433 (2001). “The officer may subject the person to a limited search for weapons . . . only if the officer reasonably believes that the person is armed and dangerous.” *Id.* (citation omitted). An officer’s subjective belief is not determinative but is probative in determining the validity of the frisk. *Id.* Officer Gorlewski specifically noted that he did not pat-down [REDACTED] because she did not pose a danger to him. Officer Gorlewski provided no basis for his belief that [REDACTED] possessed a weapon. Moreover, Special Order S04-13-09 specifically limits officers to conducting a protective pat-down of the outer layer of a person’s clothing.

COPA recommends a finding of **SUSTAINED** for Allegation #5, that Officer Gorlewski was rude and unprofessional when he threw [REDACTED] bag out of the squad car window onto the ground. Officer Gorlewski admitted he lost his patience and threw [REDACTED] bag out the window. Officer Gorlewski’s behavior was clearly rude and unprofessional and brought discredit to the Department.

COPA recommends a finding of **SUSTAINED** for Allegation #6, that Officer Gorlewski failed to document his contact with [REDACTED]. An ANOV was completed by Officer Gorlewski. However, Officer Gorlewski was also required to fill out the Investigatory Stop Report and provide [REDACTED] an Investigatory Stop Receipt based on his search of [REDACTED] purse. See Special Order S04-13-09(VIII)(3), (4)(b).

COPA recommends a finding of **UNFOUNDED** for Allegation #3 that Officer Brown failed to document his contact with [REDACTED]. An ANOV was completed by Officer Gorlewski by documenting the street stop. Further, Officer Gorlewski stated that he had the contact with [REDACTED] and that Officer Brown did not interact or have any verbal contact with [REDACTED], but rather remained in the squad car during the street stop.

¹⁶ Had Officer Gorlewski arrested [REDACTED], his seizure and search of [REDACTED] purse would have been lawful. COPA recognizes that Officer Gorlewski likely wanted to avoid arresting [REDACTED] for a minor infraction, but that cannot justify his seizure and search of [REDACTED] purse.

VII. RECOMMENDED DISCIPLINE FOR SUSTAINED ALLEGATIONS**a. Officer Andrew Gorlewski****i. Complimentary and Disciplinary History**

1. **Complimentary:** None
2. **Disciplinary:** None

ii. Recommended Penalty, by Allegation

1. **Allegation No. 3:** 15 days
2. **Allegation No. 4:** 15 days
3. **Allegation No. 5:** 5 days
4. **Allegation No. 6:** 3 days

iii. Received re-training or supplemental training in the laws and General Orders governing search and seizure.**VIII. CONCLUSION**

Based on the analysis set forth above, COPA makes the following findings:

Officer	Allegation	Finding / Recommendation
Officer Andrew Gorlewski	1. Stopped [REDACTED] without justification, in violation of Rules 1 and 6.	Exonerated
	2. Detained [REDACTED] without justification, in violation of Rules 1 and 6.	Exonerated
	3. Took [REDACTED] bag without justification, in violation of Rules 1 and 6.	Sustained / 15 days
	4. Searched [REDACTED] bag without justification, in violation of Rules 1 and 6	Sustained / 15 days
	5. Was rude and unprofessional when he threw [REDACTED] bag out of the squad car window onto the ground, in violation of Rules 2.	Sustained / 5 days
	6. Failed to document his contact with [REDACTED], in violation of Rule 6.	Sustained / 3 days

Officer Johnny Brown	1. Stopped [REDACTED] without justification, in violation of Rules 1 and 6.	Exonerated
	2. Detained [REDACTED] without justification, in violation of Rules 1 and 6.	Exonerated
	3. Failed to document his contact with [REDACTED], in violation of Rule 6.	Unfounded

Approved:

[REDACTED]

Angela Hearts-Glass, Chief Investigator
February 24, 2019

[REDACTED]

Sydney R. Roberts, Chief Administrator
February 24, 2019

Appendix A

Assigned Investigative Staff

Squad#:	9
Investigator:	Maira Webb
Supervising Investigator:	Sharday Jackson
Deputy Chief Administrator:	Angela Hearts-Glass

BUREAU OF INTERNAL AFFAIRS
RECORDS SECTION

04 JANUARY 2019

TO: COMMANDING OFFICER OF UNIT 113

FROM: RECORDS SECTION
BUREAU OF INTERNAL AFFAIRS

SUBJECT: PREVIOUS DISCIPLINARY RECORD OF:

GORLEWSKI	ANDREW	7804	211
NAME	(LAST, FIRST)	STAR	UNIT
MALE		WHITE	
SEX		RACE	EMPLOYEE#

REFERENCE: COMPLAINT REGISTER / LOG NUMBER _ 1090066_____

THE PREVIOUS SUSTAINED DISCIPLINARY HISTORY OF THE SUBJECT ACCUSED HAS BEEN REQUESTED IN YOUR NAME BY:

SUPV. IVG.	JAKCSON, S			113
RANK	NAME	STAR	EMPLOYEE#	UNIT

RELATIVE TO A SUSTAINED FINDING IN THE INVESTIGATION OF THE ABOVE
REFERENCE COMPLAINT LOG NUMBER.

THE RECORDS SECTION, BUREAU OF INTERNAL AFFAIRS, DISCLOSED THE FOLLOWING
DISCIPLINARY ACTION ADMINISTERED TO THE SUBJECT ACCUSED FOR THE PAST FIVE
(5) YEARS.

VERIFIED / PREPARED BY:

NIYA SCOTT

FOR: COMMANDING OFFICER
RECORDS SECTION
BUREAU OF INTERNAL AFFAIRS

CR – NONE
SPAR – NONE